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PTO/SB/31 (03-09)

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 02307E-151530US	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Fax No. 1-571-273-6300. on <u>May 5, 2009</u> Signature <u><i>Kimberly Heldt</i></u> Typed or printed name <u>Kimberly Heldt</u>		In re Application of <u>Roger Y. Tsien et al.</u> Application Number <u>10/057,505</u> Filed <u>January 25, 2002</u> For <u>TANDEM FLUORESCENT PROTEIN CONSTRUCTS</u> Art Unit <u>1652</u> Examiner <u>Hope A. Robinson</u>	
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ <u>540</u>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____ <input type="checkbox"/> A check in the amount of the fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>20-1430</u> . <input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the			
<input type="checkbox"/> applicant/inventor.		<u><i>Frank J. Mycroft</i></u> Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		<u>Frank J. Mycroft</u> Typed or printed name	
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>45,946</u>		<u>(925) 472-5000</u> Telephone number	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____		<u>May 5, 2009</u> Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.			

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